



# U.S. Attorney's Office for the Middle District of Pennsylvania Quarterly Newsletter

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## *A Message from the U.S. Attorney*



Welcome to the inaugural issue of the newsletter of the United States Attorney's Office for the Middle District of Pennsylvania. Our district includes 33 of the 67 counties of Pennsylvania and we serve approximately 3 million citizens of the Commonwealth. Within our district there are many dedicated members of local, state, and federal agencies working together to ensure the safety and well-being of our residents. Because we are a district of small and medium sized villages, towns, and cities, we must communicate and work together in order to have success. We have undertaken this effort in order to improve our communication with you, our partners in federal criminal and civil litigation.

Our hope is that this will be just the first newsletter of its type, and that you will find it informative and helpful. Not only will we talk about the work we do, we want to talk about the work that you do as well. To that end, we want to hear from you, including whether you prefer to receive this by email, fax or hard copy. Please let us know how we can better communicate with you, including concerns you may have, improvements in this newsletter, significant work you are doing, or other ways we can help you. Please feel free to contact my staff or me directly, using our listed contact information. I look forward to working with and meeting each of you in the near future.

*Dennis C. Pfannenschmidt*

## The Criminal Division



*Chris Fisanick*  
*Criminal Chief*  
*MDPA*

The Criminal Division of the United States Attorney's Office for the Middle District of Pennsylvania has as its mission the investigation and prosecution of federal criminal offenses within the District's 33 counties. The Division has 25 Assistant U.S. Attorneys, with 11 assigned to the Harrisburg office, 9 to the Scranton office, and 5 to the Williamsport office. In addition, approximately two dozen state and military prosecutors are cross-designated as Special Assistant U.S. Attorneys to appear in federal court on behalf of the United States. The supervisor of the division, the Criminal Division Chief, is headquartered in Scranton and reports to the First Assistant and United States Attorney. Each office relies on members of the Administrative Division's support staff to assist in its efforts.

Federal criminal jurisdiction is largely defined by the United States Constitution. The types of crimes prosecuted by the Division range from drug crimes, which make up approximately 40% of the criminal docket, to counterfeiting, firearms offenses, tax violations, crimes occurring on federal property such as national parks and military bases, child pornography, white collar crime such as mail and health care fraud, bank robbery, civil rights violations, environmental crimes, violent crime in federal prisons within the District, public corruption, and racketeering and organized crime.

The Division staff works closely with federal law enforcement agencies such as the FBI, DEA, Secret Service, the United States Postal Inspection Service, Immigration and Customs Enforcement, and the United States Marshals Service in addition to numerous other federal, state, and local agencies located within and outside the District.

Within the Division there are several specialty units such as the Organized Crime and Drug Enforcement Task Force, Asset Forfeiture, Health Care Fraud, and Criminal Appeals. The Division participates in numerous Department of Justice priority programs such as Project Safe Neighborhood, America's network to end gun violence; Project Safe Childhood, dedicated to the prosecution of child exploitation offenses; and the Joint Terrorism Task Force. The Criminal Division also works closely with the District's Civil Division in the collection of fines and restitution, as well as in parallel civil and criminal proceedings in the areas of false claims to the United States government and administrative and regulatory violations.

In addition to criminal prosecution, the Division annually presents training programs for federal, state, and local law enforcement officials on topics such as child pornography, gangs, and gun crimes. The Division also has specially designed programs for schools to combat gun and gang violence and promote safe Internet usage. Under treaties between the United States and other nations, the Division regularly represents the interests of foreign governments seeking evidence or the extradition of fugitives within the United States.

Over the years, Criminal Assistant U.S.

Attorneys have won numerous awards and commendations for their efforts. Most notably, the Criminal Division has achieved landmark results: corporate fraud prosecutions involving Rite-Aid and the Leslie Fay corporations, a record \$11 million judgment against WalMart for immigration violations, the conviction of the head of a traditional organized crime family, and convictions in international drug trafficking cases involving countries such as Mexico, Switzerland, and Moldova. The Division is currently involved in a large-scale public corruption investigation that has, to date, led to the prosecution of 23 public officials in Northeastern Pennsylvania.

*Currently, the Criminal Division is prosecuting 23 public officials, including several judges, in an on-going large-scale public corruption investigation in Luzerne County.*

## The Civil Division



Mark Morrison  
Civil Chief  
MDPA

Ask people just what the United States Attorney's Office does, and most would likely respond with something along the lines of "they prosecute federal crimes." While this is certainly an important part of the USAO's mission (and also the most visible), it neglects to take into account all of the work done by the office - those in the USAO's Civil Division. So just what is it, then, that the Civil Division does? Well, quite a bit actually.

Primarily, the Civil Division is responsible for defending the United States and its officers and employees from lawsuits filed against them. These suits can take on a wide variety of forms including employment actions alleging discrimination by employing agencies, medical malpractice claims against federal health care providers such as the Department of Veterans Affairs, or suits under the Federal Tort Claims Act where federal employees are accused of causing harm through the negligent performance of their duties. In each of these instances it is the government itself that would pay the price of a legal finding against it.

Not all suits alleging government wrongdoing are filed against the United States itself, however. Thanks to a decades old Supreme Court case, residents of the United States can also sue federal officials themselves when they believe their civil rights have been violated by those individuals. In these actions, the attorneys of the USAO's Civil Division will often defend the accused officials, taking on the full attorney-client relationship at government expense. In the Middle District of Pennsylvania, a vast majority of these cases arise from the multitude of Bureau of Prison Facilities located within the

District, but Civil Division attorneys have also represented officials from agencies such as the Federal Bureau of Investigation and the Department of Homeland Security.

Lest you think that the attorneys in the Civil Division are always playing defense, rest assured that, on occasion, they also have a chance to take the battle to the opponent as well. Through mechanisms such as the Federal False Claims Act, the Civil Division is able to pursue financial recoveries from private companies that seek to defraud the United States through such diverse programs as Medicare, Department of Defense acquisitions, and Federal Student Loans (among many others). The Civil Division also regularly pursues civil monetary penalties from a wide variety of other wrong-doers pursuant to statutes and regulations making them available in addition to (or in lieu of) criminal sanctions.

Finally, the Civil Division is regularly tasked with responding to petitions filed by incarcerated criminals or detained aliens who seek to have the federal courts order their release back into the general populace.

As the above hopefully indicates, the Middle District's Civil Division is made up of a group of attorneys and staff who stand ready to assist any agency and are prepared to handle just about anything thrown their way.

*The Civil Division's primary responsibility is defending the United States from lawsuits, but the Division also pursues financial recoveries from those that attempt to defraud the United States.*

## Recent Noteworthy Cases



February 19, 2010: U.S. Attorney Dennis C. Pfannenschmidt holds news conference announcing the sentencing of 25 defendants in the U.S. v. Cardenas-Borbon case.

### U.S. v. Cardenas-Borbon, et al.

U.S. Attorney Dennis Pfannenschmidt held a news conference on February 19 announcing the sentencing of 25 defendants in a large-scale Mexican drug organization that operated in Dauphin, Lancaster, Lebanon and York Counties. This organization was identified as one of the most significant drug trafficking organizations in the Pennsylvania mid-state and was responsible for the distribution of hundreds of kilograms of cocaine and crack cocaine to the area.

That same week, the top four individuals involved in the organization were sentenced after their convictions from a June 2009 jury trial. They include: Jamie Cardenas-Borbon sentenced to 292-months imprisonment; Antonio Avila sentenced to 164-months imprisonment; Fernando Beltran sentenced to 240-months imprisonment; and Rogelio Lopez sentenced to 198-months imprisonment.

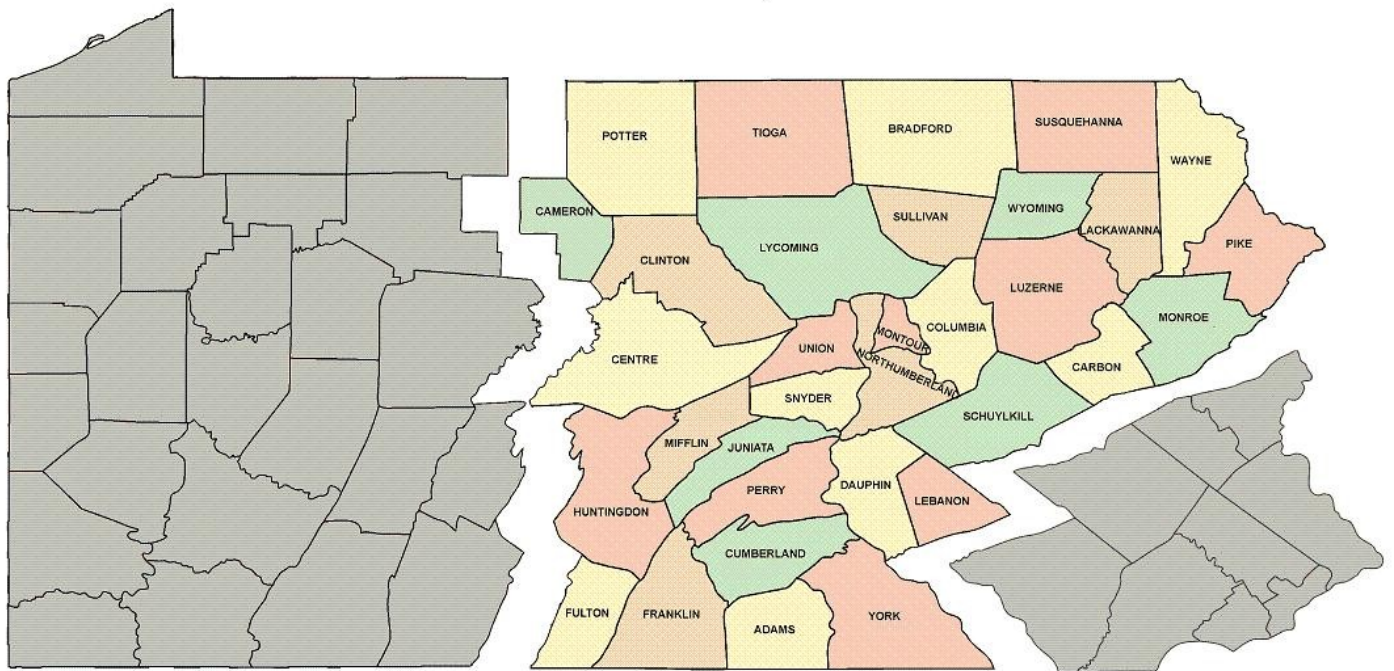
This case was investigated by the DEA, IRS, Pennsylvania State Police, Lancaster Drug Task Force, and the Dauphin County Drug Task Force.



## Recent Noteworthy Cases cont.

U.S. v. Goetz	U.S. v. Crabb
<p>Joseph Goetz was sentenced to 108-months for the robbery of 12 banks in Pennsylvania, Maryland and Virginia. The total loss was over \$280,000.</p> <p>This case was investigated by the FBI; Springettsbury Township Police Department; Anne Arundel County Police Department; Fredricksburg Virginia Police Department; Bel Air Police Department; Baltimore County Police Department; York Area Southern Regional Police Department; and Harford County Sheriff Department.</p>	<p>Corey Crabb was sentenced to a 96-month term of imprisonment for his role in a multi-defendant heroin distribution ring in the Northumberland and Sunbury areas. To date, seven other individuals have been sentenced receiving prison terms which total, in aggregate, approximately 518 months.</p> <p>This case was investigated by the FBI, the United States Postal Inspection Service and the Pennsylvania State Police.</p>
U.S. v. Cordaro and Munchak	
<p>On March 16, U.S. Attorney Dennis Pfannenschmidt was joined by the FBI and IRS to announce the indictment of former majority Lackawanna County Commissioners Robert C. Cordaro and Anthony J. Munchak. Both were charged with engaging in racketeering, fraud, extortion, bribery, and federal tax violations, as well as, receiving hundreds of thousands of dollars of illegal payments and other benefits from individuals and entities doing business with Lackawanna County. Additionally, Cordaro faces charges of money laundering and conspiracy. Along with the criminal charges, the Indictment seeks forfeiture of at least \$450,000 from both Defendants which is alleged to be the proceeds of the charged criminal activity.</p>	
U.S. v. Phan	
<p>Two people charged in December 2008 for their involvement in a forced labor organization have been sentenced. Lynda Phan, Duc Cao Nguyen and Justin Phan conspired that Lynda Phan would travel to Vietnam to recruit two victims to work in her nail salons located in the York area. Fraudulent marriages were arranged so the victims could gain entry into the United States. Upon entry, the victims were forced to work at Lynda Dieu Phan's nail salons.</p> <p>All three individuals charged pleaded guilty. Lynda Phan was sentenced to a 90-day term of imprisonment followed by 270 days of home arrest and one year of supervised release. Lynda Phan was further ordered to pay \$300,000 in restitution and forfeit a 2008 Toyota Highlander and \$185,416.82 that was seized. Nguyen was sentenced to a one-year term of probation and a \$1,000 fine. Justin Phan is scheduled to be sentenced on March 23, 2010.</p> <p>This case was investigated by U.S. Immigration and Customs Enforcement.</p>	

U.S. Attorney's Office  
Middle District of Pennsylvania



Western District

MIDDLE DISTRICT

Eastern District

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